



EMPLOYMENT TRIBUNALS

Claimant

Mrs A Norman

v

Respondent

(1) Central Bedfordshire Council
(2) APT Care Limited

Heard at: Bury St Edmunds (by CVP)

On: 05 January 2021

Before: Employment Judge Laidler

Appearances

For the Claimant:

In person.

For the 1st Respondent:

Mr G Khan, Solicitor.

For the 2nd Respondent:

Mr N Khan, Managing Director.

COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals.

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by Cloud Video Platform (V). A face to face hearing was not held because it was not practicable and no-one requested the same and all issues could be determined in a remote hearing.

JUDGMENT

The case is postponed to the 17 March 2021 for a oneday Open Preliminary Hearing to be conducted by CVP.

REASONS

1. This hearing had been listed by Employment Judge Tynan on 28 August 2020. Mr N Khan Managing Director of the second respondent advised that he was suffering from COVID and was feeling too unwell to participate in the hearing. All involved in this hearing agreed that it was only proportionate for the matter to be postponed and it has been re-listed for 17 March 2021 when it will again be conducted via the CVP platform.

2. The Judge queried whether the directions made by Employment Judge Tynan had been complied with and it was confirmed that a bundle of documents had been lodged with the Employment Tribunal on or about the 17 November 2020 although they were not before this Judge. The second respondent did not have a copy of the claimant's witness statement and she agreed to forward that to him following this hearing.
3. The claimant confirmed that her surname is Norman and it appears there has been a typographical error somewhere in the system and this will now be corrected.

ORDERS

Made pursuant to the Employment Tribunal Rules of Procedure

1. Re-listing of Open Preliminary Hearing

This matter is adjourned to 17 March 2021 for an Open Preliminary Hearing on the issue identified by Employment Judge Tynan as to whether or not there was a TUPE Transfer.

2. Other Matters

- 2.1 The above orders were made and explained to the parties at the preliminary hearing. All orders must be complied with even if this written record of the hearing is received after the date for compliance has passed.
- 2.2 Anyone affected by any of these orders may apply for it to be varied, suspended or set aside. Any further applications should be made on receipt of these orders or as soon as possible.
- 2.3 The parties may by agreement vary the dates specified in any order by up to 14 days without the tribunal's permission except that no variation may be agreed where that might affect the hearing date. The tribunal must be told about any agreed variation before it comes into effect.
- 2.4 **Public access to employment Tribunal decisions**
All judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.
- 2.5 **Any person who without reasonable excuse fails to comply with a Tribunal Order for the disclosure of documents commits a criminal offence and is liable, if convicted in the Magistrates Court, to a fine of up to £1,000.00.**
- 2.6 **Under rule 6, if any of the above orders is not complied with, the Tribunal may take such action as it considers just which may**

include: (a) waiving or varying the requirement; (b) striking out the claim or the response, in whole or in part, in accordance with rule 37; (c) barring or restricting a party's participation in the proceedings; and/or (d) awarding costs in accordance with rule 74-84.

Employment Judge Laidler

Date: 11 January 2021

Sent to the parties on:

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For the Tribunal Office